

(PCT Article 36 and Rule 70)

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/013993

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-7 \_\_\_\_\_ as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- nos. \_\_\_\_\_ as originally filed/furnished
- nos.\* \_\_\_\_\_ as amended (together with any statement) under Article 19
- nos.\* 1-6 \_\_\_\_\_ received by this Authority on /filed with the demand
- nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ the drawings:
- sheets \_\_\_\_\_ as originally filed/furnished
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>1-6</u>	YES
		Claims _____	NO
	Inventive step (IS)	Claims <u>1-6</u>	YES
		Claims _____	NO
	Industrial applicability (IA)	Claims <u>1-6</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
	<p>1. This report makes reference to the following documents:</p> <p>D1: WO 99/03922 A (BAYER AKTIENGESELLSCHAFT; GRIMM, WOLFGANG POST, UDO; VON SEGGERN, ELK) 28 January 1999 (1999-01-28)</p> <p>D2: DE 197 28 792 A1 (BAYER AG, 51373 LEVERKUSEN, DE) 7 January 1999 (1999-01-07)</p> <p>D3: WO 94/00504 A (MINNESOTA MINING AND MANUFACTURING COMPANY) 6 January 1994 (1994-01-06)</p> <p>D4: US-A-5 621 043 (CROFT ET AL) 15 April 1997 (1997-04-15)</p> <p>2. <b>Novelty</b></p> <p>The present application relates to an offshore pipe built from an inner pipe (i) to which is adhered a layer of syntactic polyurethanes (ii) obtainable by reacting a polyisocyanate component (a) with a polyol</p>		

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	<p>component (b) in the presence of hollow microspheres (c). The polyol component (b) contains polyether polyol mixture (b) in a quantity of 5-60 percent by weight relative to the total weight of the polyol component (b) and oil based on a fatty acid (b2) in a quantity of 10-90 percent by weight relative to the total weight of the polyol component (b) (claim 1). Furthermore, the present application relates to the production of an offshore pipe (claim 6).</p> <p>Documents D2-D4 do not relate to an offshore pipe. D1 discloses the use of the component (b2) in small quantities in the polyol components (see, for example, example 1: 100 percent by weight polyether, 1 percent by weight castor oil).</p> <p>Consequently, the subject matter of claims 1-6 of the present application is novel over D1-D4.</p> <p>3.     <b>Inventive step</b></p> <p><u>D1</u> is regarded as the closest prior art.</p> <p>D1 discloses the use of small quantities of the polyol component (b2) in the polyol component (b) for producing offshore pipes (see example 1, claim 6).</p>

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	<p>The subject matter of the present application differs from the subject matter in D1 in that that polyol component (b2) is used in a quantity of 10-90 percent by weight relative to the total weight of the polyol component (b) .</p> <p>The problem to be solved by the present application was that of providing offshore pipes (see page 2, lines 1-6) .</p> <p>This problem was solved by using the polyol component (b2) in a quantity of 10-90 percent by weight relative to the total weight of the polyol component (b) (see claim 1) .</p> <p>This solution is not suggested in D1. It is not obvious from a combination of D1 and documents D2-D4, either, since these documents do not relate to offshore pipes.</p> <p>Consequently, the subject matter of claims 1-6 of the present application involves an inventive step with respect to D1-D4.</p>